HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(S) No. 6582 of 2007

PETITIONER Sharad Chandra Bhushan Lal, son of Shri Sundar Lal, aged about 47 years, resident of Katghora, District Korba (C.G.)

Versus

RESPONDENTS

1. State of Chhattisgarh Through: the Secretary, Ministry of Tribal Development/Education, Mantralaya, D.K.S. Bhawan, Raipur
2. The Collector (Tribal Development), Korba
3. The Principal, Government Boys Middle School, Katghora, District Korba

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Presence :

Shri B.P. Sharma, counsel for the petitioner.

Shri Pradeep Singh, Panel Lawyer for the State on advance copy.

ORAL ORDER
(15.11.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

The petitioner, who is working on the post of Upper Division Teacher (UDT) in Middle School Katghora, District Korba, has been suspended on various counts vide order dated 17.10.2007. After his suspension, his headquarters has been fixed at Government Higher Secondary School, Pasaan, Block Podiuprodha.

Learned counsel for the petitioner submits that since the children of the petitioner are studying at Katghora, therefore, fixing the headquarters at Pasaan would create hardship for the petitioner as well as his family.

Admittedly, the order of suspension is an appealable order under Rule 23 of the M.P. (C.G.) Civil Services (Classification, Control & Appeal) Rules, 1966.

In view of the above, for the time being, I am not inclined to directly interfere in the order of suspension and I deem it proper to disposed of this writ petition with an observation that if so advised, the petitioner may file a duly constituted appeal before the Appellate Authority and he may also raise the ground of change of headquarters in appeal. If such an appeal is filed, it shall be disposed of by the concerned authority in accordance with law.

Accordingly, this writ petition stands disposed of.

Sd/-
Sunil Kumar Sinha
Judge

vatti